



ID Card Processing Procedures For Abused Dependents Of Retirement-Eligible Members

Dependents of retirement eligible members who are separated due to dependent abuse on or after 23 October 1992 are eligible for ID cards reflecting medical care, commissary, exchange and MWR privileges. The following defines the category of dependent, eligibility criteria and documentation required:

CATEGORY	ELIGIBILITY CRITERIA	DOCUMENTATION
<p>Spouse/Former Spouse</p> <p>Natural or adopted parent of a dependent child who was the victim of abuse committed by the member or discharged member.</p>	<ul style="list-style-type: none"> • The spouse or former spouse was married to the member for at least 10 years, during which time the member performed 10 years creditable service for retired pay. • He or she was the victim of abuse and was married to the member or discharged member at the time of abuse • Is not eligible or entitled to benefits and privileges under any other provision of law • A court order provides for an annuity. 	<p>Marriage certificate, divorce decree (if applicable), and proof of application to receive portion of member's retired pay for issue of a temporary card.</p> <p>Require a letter from DFAS-CL, Code L, approving request to receive a portion of retired pay for issue of a full term ID card.</p> <p>For further service specific information see chapter 19 – Army, chapter 20 – Navy, chapter 21 - Air Force, chapter 22 – USMC, chapter 23 - Coast Guard, USPHS, and NOAA</p>
<p>Child</p>	<p>An unmarried child, including an adopted child or stepchild, who was a member of the household of the member or discharged member at the time of abuse and:</p> <ul style="list-style-type: none"> • Is under 18 years of age. • Is over 18 years of age and incapable of self-support because of a mental or physical incapacity that existed before becoming 18 years of age and is or was dependent on the member or discharged member for over one-half of his or her support at the time of abuse. • Is over 18 years of age but less than 23, enrolled full time in an institution of higher learning, and is or was dependent on the member or discharged member for over one-half of his or her support at the time of abuse. • Is not eligible or entitled to benefits and privileges under any other provision of law. 	<p>Birth certificate, parent's marriage certificate, adoption decree (if appropriate) and proof of application to receive portion of member's retired pay for issue of a temporary card. Require a letter from DFAS-CL, Code L approving request to receive a portion of retired pay for issue of a permanent ID card.</p> <p>Birth certificate, parent's marriage certificate, proof of application to receive portion of member's retired pay for issue of a temporary card. Require a letter from DFAS-CL, Code L approving request to receive a portion of retired pay for issue of a permanent ID card and medical sufficiency letter. A dependency determination is not required.</p> <p>Birth certificate, parent's marriage certificate, letter from school registrar indicating full-time enrollment, expected date of graduation, and, proof of application to receive portion of member's retired pay for issue of a temporary card. Require a letter from DFAS-CL, Code L approving request to receive a portion of retired pay for issue of a permanent ID card</p>

VERIFICATION PROCEDURES:

1. Temporary ID Card - Datafax proof of application to receive a portion of member's retired pay and appropriate legal documents to the Uniformed Service Personnel Project office (active, Guard, or Reserve, as appropriate, (paragraph 25-1).
2. Permanent ID Card - Datafax the letter from DFAS-CL approving request to receive a portion of retired pay for issue of a permanent ID card, and appropriate legal documents to the Uniformed Service Personnel project office (active, Guard, or Reserve, as appropriate (paragraph 25-1). NOTE: For Marine Corps, refer to the active duty datafax number.
3. The Uniformed Service Personnel project office will update DEERS while the customer is waiting and advise the verifying official to prepare the DD Form 1172
4. The verifying official will sign block 90 of the DD Form 1172 in lieu of the sponsor; and cite AFI 36-3026(I), paragraph 8.2 in block 89, and issue the ID card:
5. Datafax a copy of verified DD Form 1172 to the Uniformed Service Personnel project office immediately after issue of the ID card
6. Batch process DD Form 1172 according to paragraph 1.12.

NOTE: Reinstate full benefits and privileges to abused former spouses who remarry and become unmarried due to divorce, annulment, or the death of the subsequent spouse.

GENERAL INFORMATION FOR PERSPECTIVE ELIGIBLES WHO ARE APPLYING FOR A PORTION OF RETIRED PAY

In order to qualify for a portion of the member's or former member's retired pay, the spouse or former spouse initiates a DD Form 2293, Application for Former Spouse Payments from Retired Pay to DFAS-CL/Code L. In addition DFAS requires:

1. A copy of decree of divorce, dissolution, annulment, or legal separation, certified by the clerk of court within 90 days of service on DFAS, awarding the former spouse a portion of the member's retired pay as property.
2. Copy of the court martial order showing, a) member lost his or her eligibility to receive retired pay as a result of abuse of a spouse or dependent child, and b) approval of the sentence by the convening authority. If the member was convicted of abuse in a civilian court, and then administratively discharged from the service for misconduct, a copy of the civilian court order and the administrative discharge determination is required.
3. A notarized statement from someone familiar with the facts of the case (for example, the former spouse, the former spouse's attorney, the prosecutor, etc.) stating that the victim is the application spouse or former spouse or a dependent child of the member and applicant former spouse. A dependent child need not be named in the affidavit.
4. The member's DD Form 214 (Certificate of Release or Discharge from Active duty) if available. The correspondence is then forwarded to DFAS-CL, Code L, P.O. Box 998002, Cleveland, OH 44199-8002.

Visit the Defense Accounting and Finance Service web site at www.dod.mil/dfas for complete information.